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BILL TEXT AND BACKGROUND FOR THE WEEK OF APRIL 27, 2009

- S. Con. Res. 13 — Conference Agreement on the Budget for FY2010
- H.R. 1913 — Local Law Enforcement Hate Crimes Prevention Act of 2009
- H.R. 627 — Credit Cardholders' Bill of Rights Act of 2009

[S. CON. RES. 13 — CONFERENCE AGREEMENT ON THE BUDGET FOR FY2010](#)

(Rep. Spratt – Budget) (Subject to a Rule)

Conference Report: [Legislative Text](#), [Joint Explanatory Statement](#)

[Bill Summary and Status](#)

Rules Committee: [H. Res. 365: Rule and Committee Report](#), [Special Announcement](#)

Committee: [Committee on the Budget](#)

Committee Staff Contact: 6-7200

BILL SUMMARY & KEY ISSUES:

FY2010 Congressional Budget Resolution Conference Report

The Budget Resolution Conference Agreement protects the key priorities of the House-passed budget resolution –very closely resembling the House-passed resolution in most key areas. The House passed its version of the budget earlier this month by a vote of 233-196 - the highest vote total on the budget in more than a decade. On the issue of reconciliation, the conference report will follow the House-passed resolution by including reconciliation instructions for health care reform and education investments. On the issue of deficit reduction, the conference report will contain even smaller deficits in 2014 than the House-passed resolution – reducing the 2014 deficit by about \$70 billion more than the House-passed resolution.

Overview

The 2010 Budget Resolution Conference Report incorporates the four key priorities of the President's budget and the House-passed budget. It takes needed steps to restore fiscal sustainability by cutting the federal budget deficit by about two-thirds by 2013. By 2014, deficits are reduced to about 3.0 percent of GDP, a substantial reduction relative to the deficit of 12.0 percent of GDP expected for 2009. The conference report also makes strategic investments in education, health care reform, and energy independence that are necessary to restore our crumbling economy and put the country in a position to remain globally competitive. The budget provides the fiscal blueprint that will allow Congress to debate and adopt legislation that will reach these goals, but, by its nature, the Budget Resolution does not dictate the specifics of the legislation.

Unlike the last Administration, which inherited a \$5.6 trillion surplus projected over ten years, this Administration inherited an economy in steep decline, a budget in record deficit, and faltering public

services due to persistent underfunding and inattention. The Congress has already taken steps to create jobs and rebuild our economy by enacting the Recovery Act. The conference agreement on the budget is an economic blueprint for the future that builds on these initial steps by making strategic investments to rebuild our economy over the longer term – including investments in health care reform, education, and energy independence – and by putting the budget back on a path to fiscal sustainability.

Provides the Blueprint for Economic Strength — The budget conference agreement makes strategic investments in education, health care reform, and energy independence that are necessary to restore our crumbling economy and put the country in a position to remain globally competitive. It also takes the needed steps to put us back on a more fiscally responsible path by cutting the federal budget deficit by nearly two thirds by 2013. (See page 2 for more details.)

Supports Health Care Reform — The budget supports the President’s goals for health care reform that will lower costs, improve quality, and expand coverage to help the 46 million Americans who now lack health insurance. Like the President’s plan, the budget conference agreement assumes health care reform will be paid for and leaves it to the relevant committees to determine the best way to accomplish it. (See page 3 for more details.)

Builds upon Education Investments Made in Recovery Act — The budget builds upon those investments with further support for early childhood education, high standards and the tools to achieve them for elementary and secondary school students, and efforts to help more Americans obtain a college degree. The budget conference agreement accommodates the President’s proposals for new initiatives in early childhood education, effective approaches to making sure all children learn and achieve in school, and continuing to raise the maximum Pell grant award without adding to the budget’s bottom line. (See page 4 for more details.)

Invests in Energy Independence — Our budget builds on significant funding and tax incentives in the Recovery Act by increasing our investments in renewable energy and energy efficiency by some 10 percent for 2010. It also allows for fiscally responsible legislation that will promote energy independence over the long term. (See page 5 for more details.)

Honors our Veterans — The budget honors our veterans by providing \$53.4 billion in appropriated funding for veterans’ health care and other services, which is \$5.6 billion (11.7 percent) more than the 2009 level. The budget also allows Congress to provide funding for VA medical care a year in advance. (See page 6 for more details.)

Cuts the Deficit by nearly Two Thirds — Our blueprint for the future cuts the deficit by nearly two thirds in four years and even further to 3.0 percent of GDP in 2014, putting the budget on a fiscally sustainable path needed for future economic strength. This budget is in contrast to the historic budget deficit that President Obama and the 111th Congress inherited – a deficit of well over \$1 trillion in 2009. (See page 7 for more details.)

Economic Recovery

The Obama Administration inherited a deficit of well over \$1 trillion and the worst economic down-turn since the Great Depression. The budget conference agreement builds off the President’s plan, putting forward a blueprint for the future that responds to the fiscal crisis.

Reflects the Recovery Act — Our budget plan reflects the Recovery Act, including its provisions that provide tax relief to middle-income families, create jobs through investments in infrastructure and other key areas, and extend unemployment benefits for millions of Americans. The Congressional Budget Office (CBO) estimates that the Recovery Act will create up to 3.6 million jobs and will raise GDP by between 1.1 percent and 3.4 percent by the fourth quarter of 2010. CBO also estimates that these actions will help end the recession in the fall of 2009.

Provides the Blueprint for Our Future Economic Strength — The conference agreement makes strategic investments in education, health care reform, and energy independence that are necessary to restore our crumbling economy and put the country in a position to remain globally competitive. It also takes the needed steps to restore fiscal sustainability after the economy has rebounded, cutting the federal budget deficit by nearly two thirds by 2013 and even further to 3.0 percent of GDP in 2014.

Begins to Reverse Bush Administration's Failed Economic Policy — Eight years of Republican policies have produced a drumbeat of economic woes:

- 26 straight months of housing price declines;
- 15 months of job losses and 5.1 million jobs lost, the most since World War II;
- Unemployment soaring to 8.5 percent; and
- Over 40 percent drop in major stock markets from their highs.

Begins to Address Inherited Deficits of over \$1 Trillion — The Obama Administration inherited an economy deep in recession and a projected annual deficit of well over \$1 trillion. This deficit didn't arise out of the blue: President Bush inherited a \$5.6 trillion projected 10-year budget surplus which he dissipated on misguided fiscal choices. That surplus represented an opportunity to address some of the major issues facing our country, including preparing for the needs of the retiring baby-boom generation.

2010 Budget Conference Agreement Invests in Health Care

The budget conference agreement accommodates legislation to improve quality, expand coverage, and address rising costs that put so much budget pressure on families, businesses, and the federal budget.

Supports the President's Goals for Health Reform — The President's principles for health reform include making health coverage affordable and available to all, improving safety and quality, and providing Americans with a choice of health plans and physicians, including the choice of keeping their current health plan.

Begins to Address Rising Costs — The average cost of an employer-sponsored family health insurance policy exceeded \$12,000 in 2008, more than twice what it cost ten years ago. Insurance premiums have grown faster than wages, resulting in less take-home pay for workers. The President's principles include reducing high administrative costs and other inefficiencies that lead to higher costs with no added health benefits.

Sets Us on a Path to Increase Coverage — The number of people without insurance grew from 38 million in 2000 to nearly 46 million in 2008 – nearly 1 out of 6 Americans. Most uninsured are in working families. Millions more are underinsured, with just bare-bones coverage that leaves them exposed to significant financial hardship if they get sick.

Aims to Improve Quality of Care — One study found that only 55 percent of recommended care is actually delivered. More than 1 million Americans are injured or killed each year by prescription drug errors. Cost and quality are closely related. There is evidence that as much as 30 percent of U.S. public and private health spending – about \$700 billion a year – is not producing better health.

Assumes Health Reform Will Be Paid for so that it Does Not Add to the Deficit — Our budget leaves it to the authorizing committees to determine both the policy and how to pay for health care reform.

Protects Health Reform from Senate Filibuster — The conference agreement includes a reconciliation instruction for health reform as an important backup measure that will improve the chances that a health reform bill will make it to the President's desk this year. We will try first to develop a bipartisan bill. However, the minority should not be able to stand in the way of what the majority of Americans want, which is a reformed health care system that improves quality, reduces costs and increases coverage.

Republicans Have No Real Plan for Addressing Rising Health Costs — The Republican plan for health care, including Medicare, is to give everyone a voucher, deregulate the insurance market, and say, "you're

on your own.” Anyone who has ever had health problems and has tried to get insurance on the individual market, or who has known anyone with these experiences, knows that such a plan is destined to fail. Loosening the rules on insurance companies would lead to a race to the bottom that would undermine care for millions of Americans. It would also lead to skyrocketing administrative costs and paperwork.

2010 Budget Conference Agreement Invests in Education

The budget conference agreement is an economic blueprint for our future that accommodates the President’s investments in education from early childhood through post-secondary education and training. It supports the President’s goal of improving American education and training a workforce that is prepared to compete and succeed in the global economy.

Builds on Recovery Act’s Historic Investment in Education — The conference agreement on the budget includes the \$100 billion in education funding provided in the Recovery Act to help states maintain elementary, secondary, and higher education services. The Recovery Act targeted funds to Title I (Education for the Disadvantaged), Head Start, and special education, where the funding can be used to train more teachers to provide needed services in the future. In addition, Congress this year increased the maximum Pell Grant award by \$619 to a total of \$5,350 – the largest annual increase in the program’s history – and created the American Opportunity Tax Credit giving students a tax credit of up to \$2,500 to cover college costs.

Makes College More Affordable and Accessible — The budget conference agreement embraces the President’s goal of further investments for educating Americans from early childhood through post-secondary education and training. It accommodates the President’s proposal to continue raising the maximum Pell grant award in a fiscally responsible way, and to provide additional assistance to help more low-income high school graduates attend and complete college.

Increases Education Funding — The conference agreement matches the President’s increase in education funding for targeted services that will raise student achievement using both proven practices and innovative approaches that bring more of the community into cooperative efforts to educate our children.

Supports Early Childhood Education — The budget conference agreement supports education at a young age through a range of approaches, including the President’s initiatives to help strengthen and expand early childhood education programs, and paid-for increases in evidence-based home visiting services and reauthorization of support for school meals.

Supports Improved School Breakfast and Lunch Programs — The conference agreement includes a deficit-neutral reserve fund to reauthorize, expand, and improve the child nutrition programs. This reserve fund provides for improvements to meal quality and access in the school lunch and school breakfast programs, which serve nutritious meals to over 31 million children every year.

Republican Plan Could Cut Education — The Republican budget alternative made absolutely no mention of education – no plan to invest in higher education, job training, or even the vital services that put our children on the path to lifelong learning and success. Instead, it made deep unallocated cuts in spending every year – cuts that could easily fall on education as well as other critical governmental services such as health care and law enforcement.

2010 Budget Conference Agreement Invests in Energy Independence

The budget builds on significant funding and tax incentives in the Recovery Act by increasing our investments in renewable energy and energy efficiency by some 10 percent for 2010. These investments will spur new sources of energy that we can produce here, creating new “green collar” jobs for American workers. The conference agreement on the budget also allows for fiscally responsible legislation that will promote energy independence over the longer term.

Builds on Investments in the Recovery Act — The budget reflects the energy investments in the Recovery Act that total \$39 billion in funding and \$20 billion in tax incentives to spur the development and production of new energy and jobs. These investments include:

- modernizing the electricity grid to make it more efficient, secure, and reliable;
- making loans for renewable energy power generation;
- increasing the energy efficiency of federal buildings; and
- helping make state and local governments more energy efficient.

Provides a 10 Percent Increase for Energy Programs — The conference agreement increases appropriations for energy programs by \$540 million (nearly 10 percent) above the 2009 level of regular appropriations. These funds for renewable energy, energy efficiency, research, and technological development are in addition to the funding and tax incentives for energy investment provided in the Recovery Act.

Accommodates Legislation Promoting Energy Independence — Our budget includes a reserve fund that accommodates fiscally responsible legislation to promote energy independence – including to reduce greenhouse gas emissions and help businesses, industries, states, communities, and households adjust to an economy with reduced emissions levels.

Years of Missed Opportunities under Republican Rule — Most of the last eight years were marked by missed opportunities under the Bush Administration. Its failure to make bold investments in renewable energy and more efficient technology has left us dangerously dependent on foreign oil, which continues to leave our economy and American families vulnerable.

2010 Budget Conference Agreement Honors Our Veterans

Our budget honors our veterans by providing an 11.7 percent increase for veterans' health care and other services. In addition, the conference agreement on the budget allows Congress to provide funding for VA medical care a year in advance.

Honors our Veterans by Providing an 11.7 Percent Funding Increase — The budget builds on the President's request by providing \$53.4 billion in appropriated funding for veterans' programs for 2010, which is \$5.6 billion (11.7 percent) more than the 2009 level. Over five years, the conference agreement increases funding for veterans' programs by more than \$27 billion.

Expands Health Care Eligibility and Research — The conference agreement supports the President's budget by ending the Bush Administration's ban on enrolling modest-income veterans for VA health care. It also provides more funding than 2009 for VA to research and treat mental health, post-traumatic stress disorder, and traumatic brain injury.

Affirms VA's Current Billing Policy — Our budget affirms and assumes VA's current policy of paying for the treatment of veterans' service-connected conditions and billing private insurance companies only for the treatment of conditions that are not related to a veteran's military service.

Under Republican Rule Veterans' Programs Were Squeezed — The previous Administration and House Republicans proposed increasing fees on veterans, placed a ban on enrolling new Priority 8 veterans for VA-provided health care, and proposed inadequate budgets that squeezed veterans programs. For example, President Bush's final budget cut veterans' funding by nearly \$20 billion over five years.

Restores Fiscal Responsibility and Accountability

The conference agreement on the budget begins the process of turning around the Republican budget legacy

of deep deficits, mounting debt, and economic decline due to the Bush Administration's reckless fiscal policy. It takes steps to put the budget back on a fiscally sustainable path by restoring fiscal responsibility and cutting the deficit by nearly two thirds by 2013.

Cuts the Deficit by Nearly Two Thirds — The President set a firm goal of cutting the budget deficit in half over four years, and this conference agreement does that and more. It takes the record deficit that President Obama and the 111th Congress inherited in 2009, and cuts the 2009 deficit of \$1.7 trillion by nearly two thirds in 2013 and even further to 3.0 percent of GDP in 2014.

Invests to Build a Stronger Economy without Increasing the Deficit — Our budget makes strategic investments in health care, education, and energy, areas critical to a strong economic future. For these and other key priorities, it includes deficit-neutral reserve funds that will accommodate legislation in these areas consistent with the pay-as-you-go (PAYGO) principle.

Improves Fiscal Discipline through Statutory PAYGO — The budget improves fiscal discipline by requiring statutory PAYGO as a condition for making current policy adjustments to the baseline for tax cuts and the Medicare physician payment system. Statutory PAYGO was critical to turning the budgets around in the 1990s, but the Republican Congress and the Bush Administration allowed it to expire in 2002, contributing to the deep deficits they accumulated. As one of its first acts, the 110th Congress instituted a tough new House PAYGO rule. The resolution would reaffirm and strengthen the commitment to PAYGO by providing for action on statutory PAYGO to enforce a realistic baseline.

Includes Investments in Oversight and Enforcement Yielding Valuable Savings — Our budget generates valuable savings by expanding oversight activities in large benefit programs, more aggressively pursuing fraud, and increasing tax compliance and enforcement activities to ensure taxpayer dollars are spent wisely.

Makes More Realistic Deficit Estimates — To provide for a more realistic accounting of the government's financial position, our budget – like the President's plan – includes likely foreseeable costs that have been omitted from past budgets. These include costs of our overseas deployments and emergencies such as natural disasters that can't be predicted with precision, but that nevertheless can be expected to occur.

House Report 111-60:
[HTML Version](#), [PDF Version](#)

Committee on the Budget Markup:
[Full Committee Markup](#): The Concurrent Resolution on the Budget for Fiscal Year 2010, March 25, 2009

CRS Reports:
[CRS Report 98-814](#), Budget Reconciliation Legislation: Development and Consideration
[CRS Report R40472](#), The Budget Resolution and Spending Legislation
[CRS Report R40088](#), The Federal Budget: Current and Upcoming Issues
[CRS Report RL31590](#), The Federal Government Debt: Its Size and Economic Significance
[CRS Report RL34424](#), Trends in Discretionary Spending
[CRS Report RL34121](#), Child Welfare: Recent and Proposed Federal Funding

Organization Statements:
[Many Organizations Support the FY 2010 Budget Resolution](#), House Budget Committee (4/1/09)
[Blue Dog Leadership: FY '10 House Budget Resolution Includes Key Blue Dog Priorities for Restoring Fiscal Discipline to Government](#) (4/1/09)

Administration Position:
(TBA)

Fact Sheets & Talking Points:

[Agreement Reached on FY10 Budget Plan](#), House Budget Committee (4/27/09)
[S. Con. Res. 13 - Conference Agreement on the Budget for FY2010](#), House Budget Committee (4/27/09)
[FY2010 Budget Resolution Conference Report with Statement of Managers](#), Senate Budget Committee (4/27/09)
[Press Release on Budget Conference Agreement](#), Senate Budget Committee (4/27/09)
[Conrad Remarks at Budget Conference Meeting](#), Senate Budget Committee (4/27/09)
[Charts Used at Budget Conference Meeting](#), Senate Budget Committee (4/27/09)
[President Obama's Budget Outline](#)
[Majority Leader's Budget Clearinghouse](#)
[Fact Sheets on the 2010 Budget Resolution](#) House Budget Committee (4/1/09)
[Fact Sheets on the 2010 Budget Resolution](#) House Budget Committee (4/1/09)
[House Democratic Budget Receives Broad Support](#) Majority Leader's Office (4/1/09)
[President Obama's Budget and the House Budget: Questions and Answers, Rebutting Critics](#) Office of Speaker Nancy Pelosi (4/1/09)
[Budget Fact Check: Long-Term Economic Plan for America's Future](#) (Office of Speaker Nancy Pelosi, 4/1/09)
[Democratic Budget Shows Commitment to Energy Independence and Security](#) (Majority Leader's Office, 3/31/09)
[Budget Fact Check: Keeping Our Promises](#), Office of Speaker Nancy Pelosi (3/30/09)
[Democratic Budget Shows Commitment to Health Care Reform](#), Majority Leader's Office (3/27/09)
[Budget Fact Check: No Comparison](#), Office of Speaker Nancy Pelosi (3/27/09)
[Key Features of the Chairman's Mark](#), Budget Committee (3/25/09)
[Charts on the Chairman's Mark](#), Budget Committee (3/25/09)
[Charts from the Chairman's Opening Presentation](#), Budget Committee (3/25/09)
[Summary Tables of the Chairman's Mark](#), Budget Committee (3/25/09)
[Democrats Committed To Fiscal Prudence](#), Majority Leader's Office (3/26/09)
[All Republican Talk, No Republican Action](#), Majority Leader's Office (3/26/09)
[Restoring Fiscal Accountability](#), Office of Speaker Nancy Pelosi (3/26/09)
[Budget Fact Check: Restoring Fiscal Responsibility](#), Office of Speaker Nancy Pelosi (3/26/09)
[Top 10: Democratic Budget Highlights](#), Majority Leader's Office (3/25/09)
[An Economic Blueprint for America](#), Office of Speaker Nancy Pelosi (3/25/09)
[Budget Fact Check: A Responsible Way Forward](#), Office of Speaker Nancy Pelosi (3/25/09)
[Democratic Budget Priorities Say "Yes" to Nation](#), Majority Leader's Office (3/24/09)
[Budget Fact Check: Responsible Spending to Grow America's Economy](#), Office of Speaker Nancy Pelosi (3/24/09)
[Budget Fact Check: Creating Jobs & Reinvesting in America's Economy](#), Office of Speaker Nancy Pelosi (3/20/09)
[Budget Fact Check: Responsible Spending to Grow America's Economy](#), Office of Speaker Nancy Pelosi (3/19/09)
[Budget Fact Check: Tax Cuts](#), Office of Speaker Nancy Pelosi (3/17/09)
[Budget Fact Check: Small Business](#), Office of Speaker Nancy Pelosi (3/16/09)

Press Releases, News Articles & Related Information:

[Chairman Spratt's Opening Statement at Conference Committee for FY2010 Budget Resolution](#), House Budget Committee (4/27/09)
[Pelosi Remarks on Budget Following President Obama Meeting with Democratic Caucus](#), Office of Speaker Nancy Pelosi (3/30/09)
[House Passes FY10 Budget Resolution](#)
[Committee Passes Budget Resolution for Fiscal Year 2010](#), Budget Committee (3/26/2009)
[Hoyer Statement on Budget Committee Mark-Up](#), Majority Leader's Office (3/25/09)
[Clyburn Comments On CBO Analysis And The Bush Deficit](#), Office of the Majority Whip (3/23/2009)
[Chairman Spratt's Statement on CBO Deficit Projection](#), Budget Committee (3/20/2009)
[Spratt Statement on President Obama's Budget](#), Budget Committee (2/26/2009)
[Chairman Spratt's Reaction to President Obama's Speech](#), Budget Committee (2/25/2009)

H.R. 1913 – LOCAL LAW ENFORCEMENT HATE CRIMES PREVENTION ACT OF 2009 *(Rep. Conyers – Judiciary) (Subject to a Rule)*

Bill Text: [HTML Version](#), [PDF Version](#)

[Bill Summary and Status](#)

Rules Committee Meeting: Tuesday, April 28, 2009 at 1:00p.m. in H-313 the Capitol, [Special Announcement](#), [Text of the Bill as Ordered reported](#), [Judiciary Committee Report H. Rept. 111-86](#)

Committee: [Committee on the Judiciary](#)

Committee Staff Contact: 5-3951

BILL SUMMARY & KEY ISSUES:

H.R. 1913, Local Law Enforcement Hate Crimes Prevention Act

The Federal Local Law Enforcement Hate Crimes Prevention Act has **broad bipartisan support** and passed both the House and Senate during the 110th Congress (the House passed the bill 237-180 [\(Roll Call Vote\)](#) in May of 2007).

- H.R. 1913, the Local Law Enforcement Hate Crimes Prevention Act, provides assistance to state and local law enforcement and streamlines the investigation and prosecution of hate crimes.
- H.R. 1913 is virtually identical to the Local Law Enforcement Hate Crimes Prevention Act that passed the House with 237 votes in the 110th Congress.
- This bipartisan legislation is supported by a broad coalition, including over 45 religious organizations, as well as dozens of women's, civil rights and disability rights organizations.
- Under current law, the federal government can only investigate hate crimes motivated by the victim's race, color, religion, or national origin. H.R. 1913 would extend federal jurisdiction to hate crimes motivated by the victim's actual or perceived sexual orientation, gender, gender identity or disability.
- H.R. 1913 specifically concerns violent acts resulting in bodily injury or death and is NOT an infringement on First Amendment rights. It does not prohibit public or private statements about particular groups or individuals.

House Report 111-86:

[HTML Version](#), [PDF Version](#)

Full Committee on Judiciary Markup:

[Full Committee Markup](#): H.R. 1913, H.R. 1748, H.R. 1788, H.R. 1676, H.R. 1667 and H.R. 1741, April 22-23, 2009

- [National Journal Report](#): House Judiciary Votes To Expand Federal Hate Crime Protection (4/23/2009)
- [National Journal Report](#): House Judiciary Moves Toward Expanding Hate Crime Protections (4/22/2009)
- [Opening Statement](#): Chairman Conyers
- [4/22/09 - Transcript](#), [4/23/09 - Transcript - Continued](#)

Summary of Committee Votes:

- [Rep. Lungren, R-Calif. Limitations on First Session Funds Amendment to the Substitute Amendment](#) — would clarify that none of the amounts reserved for the first session may be available for expenses after Feb. 3, 2010, unless the chairman or ranking member of the committee presents testimony to the House Administration Committee on the committee's use of funds. **Adopted by Voice Vote.**
- [Rep. Scott, D-Va., Strike Data Collection Amendment](#) — would strike the findings section and strike a provision that would require the Department of Justice to collect statistics on hate crimes. **Adopted by Voice Vote.**

- Rep. Goodlatte, R-Va., Inclusion of Senior Citizens Amendment — would add "senior citizens" as a category to the list of groups classified as victims of hate crimes. **Rejected 11-15: R 11-0; D 0-15; I 0-0.**
- Rep. Franks, R-Ariz., First Amendment Protections Amendment — would bar prosecution for a hate crime if an individual was at the time engaged in conduct protected by the First Amendment. **Rejected 11-16: R 11-0; D 0-16; I 0-0.**
- Rep. Franks, R-Ariz., Conduct Protected by the Constitution Amendment — would clarify that the measure would not restrain a person from engaging in speech or conduct protected by the Constitution. **Withdrawn.**
- Rep. Scott, D-Va., Constitutionally Protected Activity Amendment — would clarify that the measure does not infringe on activities protected by the Constitution by striking the line "by the free speech and free exercise clauses of the First Amendment." **Adopted by Unanimous Consent.**
- Rep. Rooney, R-Fla., Inclusion of Military Personnel Amendment — would add "members of the Armed Forces" as a category to the list of groups classified as victims of hate crimes. **Rejected 9-11: R 9-0; D 0-11; I 0-0.**
- Rep. Gohmert, R-Texas, Eligibility for Death Penalty Amendment — would add the death penalty to the possible punishment for committing a hate crime. **Rejected 8-11: R 8-0; D 0-11; I 0-0.**
- Rep. Gohmert, R-Texas, State Laws Amendment — would prohibit the federal government from bringing a hate crimes prosecution unless the state has no law prohibiting the conduct. **Rejected 9-12: R 9-0; D 0-12; I 0-0.**
- Rep. Gohmert, R-Texas, Prohibit Prosecutions on Religious Beliefs Amendment — would prohibit prosecutions from being based on religious beliefs quoted from the Bible, Tanakh or Koran. **Rejected 8-11: R 8-0; D 0-11; I 0-0.**
- Rep. Gohmert, R-Texas, Practicing Religious Persons Amendment — would add to the list of groups classified as victims of hate crimes "someone in the process of practicing his or her religion in a place of worship including a Christian church, a Jewish synagogue or a Muslim mosque." **Rejected by Voice Vote.**
- Rep. S. King, R-Iowa, Increased Penalties for Illegal Immigrants Amendment — would increase penalties for crimes committed by illegal immigrants. It would increase the penalty to up to 10 years for an illegal immigrant to cause bodily injury to a U.S. national. If death resulting from the offense, or if it included kidnapping, aggravated sexual assault or attempted murder, the illegal immigrant would face life in prison. **Ruled not Germane.**
- Rep. S. King, R-Iowa, Title Change Amendment — would change the title of the bill to the "Local Law Enforcement Thought Crimes Prevention Act of 2009." **Rejected 10-15: R 10-0; D 0-15; I 0-0.**
- Rep. Jordan, R-Ohio, Include the Unborn Amendment — would add to the list of groups that can be classified as victims of hate crimes, "status as an unborn child under circumstances where the crime is also a crime" under partial-birth abortions laws. **Ruled not Germane.**
 - Rep. Nadler, D-N.Y., Appeal Ruling of the Chair Motion to table — would (kill) the Jordan, R-Ohio, appeal of the ruling of the chair that the Jordan amendment was not germane. The Jordan amendment would add to the list of groups classified as victims of hate crimes, "status as an unborn child under circumstances where the crime is also a crime" under partial-birth abortions laws. **Agreed to 14-11: R 0-11; D 14-0; I 0-0.**
- Rep. R. Goodlatte, R-Va Include Pregnant Women Amendment — would add pregnant women to the list of groups classified as potential victims of hate crimes. **Rejected 9-13: R 9-0; D 0-13; I 0-0.**
- Rep. King, R-Iowa, Replace "Gender" with "Sex" Amendment — would strike the word "gender" throughout the bill and replace it with "sex." It also would strike the term "gender identity" throughout the bill. **Rejected 10-16: R 10-0; D 0-16; I 0-0.**
- Hate Crimes Prevention/Immutable Characteristics Amendment — would add "status as possessing any immutable characteristic" to the list of groups classified as potential victims of hate crimes. **Rejected 9-10: R 9-0; D 0-10; I 0-0.**
- Rep. King, R-Iowa United State Citizens Amendment — would add U.S. nationals attacked by illegal immigrants because of their U.S. citizenship status as a category to the list of groups classified as potential victims of hate crimes. **Rejected 11-14: R 11-0; D 0-14; I 0-0.**

- [Rep. King, R-Iowa, Replace "Gender" with "Sex" Amendment](#) — would strike the word "gender" throughout the measure and replace it with "sex." **Rejected 11-16: R 11-0; D 0-16; I 0-0.**
- [Rep. King, R-Iowa, Intent to Intimidate or Terrorize Amendment](#) — would require an attacker to have "the intent to intimidate or terrorize the class of person to which that person belongs" before the government can initiate a prosecution under hate crimes statutes. **Rejected 8-10: R 8-0; D 0-10; I 0-0.**
- [Rep. King, R-Iowa, Exclude Pedophiles Amendment](#) — would clarify that sexual orientation does not include pedophilia. **Rejected 10-13: R 10-0; D 0-13; I 0-0.**
- [Rep. R. Goodlatte, R-Va., Strike Groups Classified as Victims of Hate Crimes Amendment](#) — would strike references to any groups classified as potential victims of hate crimes. **Rejected 11-14: R 11-0; D 0-14.**
- **Vote to Report:** Favorably Reported to the Full House, as Amended, by **15-12: R 0-12; D 15-0; I 0-0.** ([Roll Call](#)).

CRS Reports:

[RL33403](#): Hate Crime Legislation

Subcommittee on Crime, Terrorism, and Homeland Security Hearing:

[Legislative Hearing on H.R. 1592](#), the "Local Law Enforcement Hate Crimes Prevention Act of 2007", April 17, 2007

CBO Report:

[Cost Estimate](#): Ordered Reported by the House Committee on the Judiciary

Organization Statements:

[Multiple Support Letters from Individual Organizations](#)

[List of Hundreds of Endorsing Organizations](#)

[Religious groups sign-on letter](#)

[Disability groups sign-on letter](#)

[Women's groups sign-on letter](#)

[NAACP Action Alert](#)

Administration Position:

(TBA)

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[First Amendment Fact Sheet](#)

[Federalism Facts](#)

[Facts v. Rhetoric](#), Human Rights Campaign

[Hate Crimes Q&A](#), Human Rights Campaign

[Q&A about the Hate Crimes Bill for People of Faith](#), Third Way

[Memo: Answering Religious Concerns about the Hate Crimes Bill](#), Third Way

[Facts about the Philadelphia Outfest Case](#),

[Hate Crimes Talking Points](#)

- [Background & Talking Points](#), LCCR & LCCREF
- [More LLEHCPA Resources](#)
- [FightHateNow.org](#) – HRC
- [Hate Crimes in the U.S.](#)
- [FBI Hate Crime Statistics](#)
- [Hate Crimes in Other Countries](#)
- [Why you should care about Hate Crimes](#)
- [Partners Against Hate](#) - LCCR
- [We Can Stop The Hate](#) - NCLR

- [Fight Hate: A Prevention and Response Guide for America's Neighborhoods](#) - LCCR
- [More Resources for Fighting Hate](#)
- [2008 Hate Crime Survey](#) - Human Rights First
- [Cause for Concern: Hate Crimes in America](#) - LCCR

Press Releases, News Articles & Related Information:

[Jewish Council for Public Affairs Op-Ed](#)

Other Resources:

[Cosponsors of H.R.1913](#)

H.R. 627 – CREDIT CARDHOLDERS' BILL OF RIGHTS ACT OF 2009 *(Rep. Maloney – Financial Services) (Subject to a Rule)*

Bill Text: [HTML Version](#), PDF Version

[Bill Summary and Status](#)

Rules Committee Meeting: Tuesday, April 28, 2009 at 1:00p.m. in H-313 the Capitol, [Special Announcement](#), **Meeting Time:** 1:00pm Tuesday 4/28 - [GENERAL DEBATE RULE](#), **Meeting Time:** 3:00pm Wednesday 4/29 - [SECOND RULE](#), **Amendment Deadline:** 10:30 a.m. Tuesday 4/28, [Text of the Bill as Ordered Reported](#)

Committee: [Committee on Financial Services](#)

Committee Staff Contact: 5-4247

BILL SUMMARY & KEY ISSUES:

Summary of the Credit Cardholders' Bill of Rights

The “Credit Cardholders’ Bill of Rights,” provides crucial protections against unfair, but unfortunately common, credit card practices.

Ends Unfair, Arbitrary Interest Rate Increases.

- Prevents card companies from unfairly increasing interest rates on existing card balances – retroactive increases are permitted only if a cardholder is more than 30 days late, if a pre-agreed promotional rate expires, if the rate adjusts as part of a variable rate, or if the cardholder fails to comply with a workout agreement.
- Requires card companies to give 45 days notice of *all* interest rate increases or significant contract changes (e.g. fees)

Lets Consumers Set Hard Credit Limits, Stops Excessive “Over-the-Limit” Fees.

- Requires companies to let consumers set their own fixed credit limit.
- Prevents companies from charging “over-the-limit” fees when a cardholder has set a limit, or when a preauthorized credit “hold” pushes a consumer over their limit.
- Limits (to 3) the number of over-the-limit fees companies can charge for the same transaction – some issuers now charge virtually unlimited fees for a single violation.

Ends Unfair Penalties for Cardholders Who Pay on Time.

- Ends unfair “double cycle” billing – card companies couldn’t charge interest on debt consumers have already paid on time.
- If a cardholder pays on time and in full, the bill prevents card companies from piling additional fees on balances consisting solely of left-over interest.
- Prohibits card companies from charging a fee when customers pay their bill.

Requires Fair Allocation of Consumer Payments.

- Many companies credit payments to a cardholder’s lowest interest rate balances first, making it impossible for the consumer to pay off high-rate debt. The bill bans this practice, requiring payments made in excess of the minimum to be allocated proportionally or to the balance with the highest interest rate.

Protects Cardholders from Due Date Gimmicks.

- Among other measures, requires card companies to mail billing statements 21 calendar days before the due date (up from the current 14 days), and to credit as “on time” payments made before 5 p.m. local time on the due date.
- Extends due date to next business day for mailed payments when the due date falls on a day a card company does not accept or receive mail (i.e. Sundays and holidays).

Prevents Companies from Using Misleading Terms and Damaging Consumers’ Credit Ratings.

- Establishes standard definitions of terms like “fixed rate” and “prime rate” so companies can’t mislead or deceive consumers in marketing and advertising.
- Gives consumers who are pre-approved for a card the right to reject that card prior to activation without negatively affecting their credit scores.

Protects Vulnerable Consumers From High-Fee Subprime Credit Cards.

- Prohibits issuers of subprime cards (where total yearly fixed fees exceed 25 percent of the credit limit) from charging those fees to the card itself. These cards are generally targeted to low-income consumers with weak credit histories.

Bars Issuing Credit Cards to Vulnerable Minors

- Prohibits card companies from knowingly issuing cards to individuals under 18 who are not emancipated minors.

Requires Better Data Collection from Credit Card Industry

- Requires reports to Congress by the Federal Reserve on credit card industry practices to enhance congressional oversight.

Swift Implementation of 45-Day Notice Requirement

- Requires card companies to send out 45-day notice of interest rate increases 90-days after the bill is signed into law.

House Report 111-88:

[HTML Version](#), [PDF Version](#)

Committee on Financial Services Markup:

[Markup of H.R. 627](#): Credit Cardholders’ Bill of Rights Act of 2009, April 22, 2009

Summary of Committee Votes:

- [Rep. McCarthy, D-N.Y., Credit Cardholders' Bill of Rights/Technical Changes Amendment](#) — would make technical changes to the bill. **Adopted by Voice Vote.**
- [Rep. Miller, D-N.C., Credit Cardholders' Bill of Rights/Minimum Payment Advisory Amendment](#) — would require creditors to disclose, in conspicuous type on the front of the first page of each consumer billing statement, the outstanding balance under the consumer account and the following advisory: "Minimum Payment Advisory: Making only the minimum payment will increase the amount of interest that you pay and the time it will take to repay your outstanding balance." The amendment also would require creditors to include certain enclosure in each consumer billing statement, at least once each calendar quarter, with the following information. The amendment also states that inaccuracies in such information would not be considered grounds for a legal action against a lender or servicer, unless the information was provided willfully with the intent to mislead, or as a consequence of grossly negligent conduct. **Withdrawn.**
- [Rep. Moore, D-Kan., Credit Cardholders' Bill of Rights/Small Card Issuers Amendment](#) — would specify that each periodic statement provided to consumers by small credit card issuers -- those with fewer than 50,000 credit cards issued -- must include a toll-free number or Web site at which the consumer may request the payoff balance on the account. The amendment also would specify that small credit card issuers must establish a notification system -- either a toll-free number or Web site -- by which consumers may notify creditors if they do not want creditors to authorize transactions that would extend their credit beyond the authorized amount, but would impose an over-the-limit fee. **Adopted by Voice Vote.**
- [Rep. Maloney, D-N.Y., Credit Cardholders' Bill of Rights/Advance Notice of Rate Increases Amendment](#) — would require credit card companies to provide consumers with at least 45 days advance notice of any interest rate increases, beginning 90 days after enactment. The notice must

describe changes in the annual percentage rate in a complete and conspicuous manner, and the extent to which the change would apply to an existing balance. The rest of the bill's provisions would not take effect until 12 months after enactment. **Adopted 40-22; R 3-22; D 37-0; I 0-0.**

- Rep. Hensarling, R-Texas, Credit Cardholders' Bill of Rights/Alternative Card Options Amendment — would exempt a creditor from the bill's limitations on retroactive rate increases as long as the creditor offers a credit card, available to all consumers, that does not follow the practice. The amendment also would exempt a creditor from limitations on double-cycle billing -- when interest charges are computed based on outstanding balances from more than one billing cycle -- if the creditor offers a credit card, to all consumers, that does not follow the practice. **Rejected 22-43; R 22-5; D 0-38; I 0-0.**
- Rep. Hensarling, R-Texas, Credit Cardholders' Bill of Rights/Report on Bill's Impact Amendment—to the Waters amendment that would require the Federal Reserve to report to the House Financial Services Committee and the Senate Banking, Housing and Urban Affairs Committee on the impact of the bill within six months of enactment. **Rejected 28-38; R 28-0; D 0-38; I 0-0.**
- Rep. Waters, D-Calif., Credit Cardholders' Bill of Rights/Report on Credit Limit Reductions Amendment — would require the Federal Reserve to report to the House Financial Services Committee and Senate Banking, Housing and Urban Affairs Committee on the extent to which, during the previous three-year period, creditors have reduced credit card limits or raised interest rates based on:
 - Geographical location of a transaction, or the identity of the merchant involved.
 - The consumer's credit transaction, type or price of items purchased, any change in the type or price of items purchased, or any other data pertaining to the account.
 - The identity of the creditor that holds the mortgage loan on the consumer's primary residence.The amendment also would require the report to include:
 - The number and identity of creditors that engage in such practices.
 - The extent to which such practices have an adverse impact on minority or low-income consumers.
 - Any other relevant information regarding the practices.
 - Recommendations to Congress on regulatory or statutory changes that may be needed to restrict or prevent such practices. **Adopted by Voice Vote.**
- Rep. Price, R-Ga., Credit Cardholders' Bill of Rights/Class Action Lawsuits Amendment — would prohibit any class action lawsuits for damages resulting from violations of the bill. The amendment would limit lawsuits for damages to individual actions. **Rejected 24-43; R 24-4; D 0-39; I 0-0.**
- Rep. Hensarling, R-Texas, Credit Cardholders' Bill of Rights/Rate Increase Exception Amendment — would expand the exceptions under which creditors may raise interest rates for cardholders on existing balances. The amendment would allow creditors to raise rates retroactively if notice of the increase is provided to the consumer in clear, concise language at least 90 days before the increase is scheduled to take effect, provided that the exception is fully described to the consumer in his contract and at least once a year thereafter. **Rejected 28-39; R 28-0; D 0-39; I 0-0.**
- **Vote to Report:** Favorably Reported to the Full House, as Amended, by a Roll Call Vote of **48-19; R 9-19; D 39-0; I 0-0** ([Roll Call](#)).

Summary of Subcommittee Votes

- Rep. Ackerman, D-N.Y., Credit Cardholders' Bill of Rights/Prohibit Payment Fees Amendment — would prohibit a creditor from imposing a fee based on the manner in which payments on the account are made, including if a payment is made by electronic fund transfer or over the telephone. **Adopted 18-17; R 0-13; D 18-4; I 0-0.**
- Rep. Hensarling, R-Texas, Credit Cardholders' Bill of Rights/Interest Rate Increase Exception Amendment — would expand the exceptions under which creditors may raise interest rates for cardholders. It would allow creditors to raise rates if the borrower fails to make his or her minimum payment by the due date at least three times in a calendar year. **Adopted 15-24; R 15-0; D 0-24; I 0-0.**
- Rep. Hensarling, R-Texas, Credit Cardholders' Bill of Rights/Delay Effective Date Amendment — would delay the effective date of the legislation until the Federal Reserve could certify to Congress that the provisions would not result in increased interest rates for consumers or restrict credit availability. **Adopted 15-25; R 15-1; D 0-24; I 0-0.**
- Rep. Hensarling, R-Texas, Credit Cardholders' Bill of Rights/Alternative Card Options

Amendment — would exempt a creditor from the bill's limitations on universal default -- when creditors adjust a cardholder's interest rate based on his other credit records -- as long as the creditor offers a credit card, to at least 75 percent of customers, that does not follow the practice. The amendment also would exempt a creditor from limitations on double-cycle billing -- when interest charges are computed based on outstanding balances from more than one billing cycle -- if the creditor offers a credit card, to at least 75 percent of customers, that does not follow the practice. **Rejected by Voice Vote.**

- **Rep. Gutierrez, D-Ill., Credit Cardholders' Bill of Rights/Delay Implementation**
Amendment — would delay the bill's effective date to 12 months after enactment, until July 1, 2010, whichever comes first. As introduced, the effective date would be three months after enactment. The amendment also would require the Federal Reserve, in consultation with other federal banking regulators, to establish rules for the implementation of the act within five months of enactment, or by June 1, 2010, whichever comes first. **Adopted by Voice Vote.**
- **Vote to Report:** Favorably Reported to the Full Committee, as Amended, by **Voice Vote.**

CRS Reports:

[CRS Report RL34393](#), The Credit Card Market: Recent Trends and Regulatory Proposals

CBO Report:

(TBA)

Organization Statements:

(TBA)

Administration Position:

(TBA)

Fact Sheets & Talking Points:

[One Page Summary](#), Financial Services Committee

[Summary of H.R. 627](#), Financial Services Committee

Press Releases, News Articles & Related Information:

[Hoyer Statement on Credit Cardholders' Bill of Rights](#)

[Pelosi: Credit Cardholders' Bill of Rights Protects Americans Against Unfair and Abusive Practices of Credit Companies](#)

[Credit Cardholders' Bill of Rights Clears Financial Services Committee](#)

Other Resources:

Cosponsors of H.R.626

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